REMARKS/ARGUMENTS

The Office Action mailed February 12, 2007 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

The 35 U.S.C. § 112, First Paragraph Rejection

Claim 38 stands rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was allegedly not described in the specification in such a way as to enable one of ordinary skill in the art to practice the invention. This objection is respectfully traversed. One embodiment of how the "selection" step and the "transforming" step may be "synchronized" is set forth in the specification, paragraph **0050**, which explains:

> The track mixer **26** combines one value from each of the selection tracks and produce a combined value for each step for as long as necessary to encrypt/decrypt the input data. . . . When the next unit of input data is processed, the next combined value in the series is used to select a next encryption table to process the next unit. That is, *in this sense*, the selection of the encryption tables (table selection step) is *synchronized* with the encryption/decryption of the input data (data processing step).

(emphasis added). In this context, the "data processing step" corresponds to the "transforming" step of claim 38. Thus, there is a clear description that would enable one skilled in the art to practice the invention in claim 38.

The 35 U.S.C. § 112, Second Paragraph Rejection

Claim 7 stands rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter applicant regards as the invention. This claim has been amended, and it is submitted that this claim as amended particularly points and distinctly claims the subject matter applicant regards as the invention. Therefore, it is requested that this rejection be withdrawn

The 35 U.S.C. § 102 Rejection

Claims 1-3, 7, 10-13, 16-34, 38, 41-43, 46-48 and 65 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Brockman, USPN 4,853,962. This rejection is respectfully traversed.

According to the M.P.E.P., a claim is anticipated under 35 U.S.C. § 102(a), (b) and (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.[1]

With regard to independent claims 1, 29, and 65, the Examiner states that *Brockman* discloses the "a second plurality of selection tracks, each of the selection tracks including a series of values having a certain pattern, a track mixer coupled to said second plurality of selection tracks, adapted to combine corresponding values of the selection tracks to produce a series of combined values (column 3 lines 46-52). This cited portion of *Brockman* does not, however, disclose what the Examiner has stated.

Brockman discloses a six-digit "serial number" for a receiver, which is used to generate an index number by summing the digits. A six-digit serial number is not a plurality of selection tracks, each containing a series of values having a certain pattern. Nor does summing the digits of a six-digit number constitute combining corresponding values of the selection tracks to produce a series of combined values. Moreover, there are no "corresponding values" in this portion of the Brockman disclosure that are described as being "combined," nor any indication of how a correspondence between values would be established.

[1] Manual of Patent Examining Procedure (MPEP) § 2131. See also *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

As to dependent claims 1-3, 7, 10-13, 16-28, 30-34, 38, 41-43, and 46-48, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

In addition, as to dependent claims 7, 17, 21, 38, and 47, these claims were discussed in the context of independent claims 1, 29, and 65, but the Examiner has not shown how the added limitations of these dependent claims are found in Brockman. Therefore, Applicant submits that these claims, having additional limitations not shown to be in Brockman, are allowable.

With regard to dependent claims 2, 18, 30, and 33, the Examiner states that *Brockman* discloses that "the tracks are generated from source files (column 3 lines 21-24)." However, as discussed above, Brockman does not disclose a "plurality of selection tracks." *Brockman* also does not disclose the production of the relevant values from source files.

With regard to claims 3 and 34, the Examiner states that *Brockman* discloses "selecting a size for the unit (column 3 lines 46-57)." However, the cited portion of *Brockman* makes no reference to the length of any unit of data, or the selection of data length.

With regard to claims 10 and 41, the Examiner states that *Brockman* discloses "an encryption table bank and a decryption bank (column 3 lines 53-68)." However, the cited portion of *Brockman* does not describe a "first table bank" and a "second table bank."

With regard to claims 11, 16, 22-24, 42, and 46, the Examiner states that *Brockman* discloses "the encryption tables have corresponding decryption tables (column 3 lines 53-68.)" However, the cited portion of *Brockman* does not describe "first encryption tables" and "second encryption tables" capable of an inverse transformation.

With regard to claims 12 and 43, the Examiner states that *Brockman* discloses "the tables having the same address at the transmitter and receiver (column 4 lines 1-8), thus they are offset from each other by 0." With regard to claim 13, the Examiner states that *Brockman* discloses

"using the index to select a table (column 3 line 53-column 4 line 8)." However, the argument set forth above for claims 11 and 42 from which claims 12, 13, and 43 depend, are equally applicable here. The base claims being allowable, the dependent claims must also be allowable. *Brockman* does not describe "first encryption tables" and "second encryption tables" capable of inverse transformation, and therefore cannot disclose the two sets of tables at a predetermined offset from each other.

With regard to claims 19, 20, 31, and 32, the Examiner states that *Brockman* discloses "modifying the serial number to create an index (column 3 lines 46-57)." However, *Brockman* does not describe setting parameters (19 and 31) or selecting a mathematical operation (20 and 32).

With regard to claims 25, 26, and 27, the Examiner states that "keys inherently have a length that is different than other existing keys." However, *Brockman* does not describe a key length "by which the certain pattern of the track recurs." Applicant agrees with the Examiner's statement that *Brockman* discloses "no keys derived by multiplying or dividing the length by 2," and asserts that this is grounds for allowance of claim 27.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,
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